



POOLSON | ODEN
RAILROAD INJURY ATTORNEYS

DANIEL J. "DANNY" POOLSON, JR. *†
CARISA RENÉE GERMAN-ODEN
* ALSO LICENSED IN MISSISSIPPI
† ALSO LICENSED IN TEXAS

ONE LAKEWAY
3900 N. CAUSEWAY BLVD., STE. 680
METAIRIE, LOUISIANA 70002
OFFICE: (504) 766-2200
FACSIMILE: (504) 766-2070
DANNY@POOLSONODEN.COM
CARISA@POOLSONODEN.COM
WWW.POOLSONODEN.COM

MEMO ENDORSED

June 4, 2022

Via ECF Electronic Filing

The Honorable Valerie Caproni
USDC, Southern District of New York
40 Foley Square
New York, NY 10007

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 06/06/2022

Re: *Kilpatrick v. Amtrak*
USDC, SDNY, No. 1:20-cv-05870; P/O File No. 20-1048

Dear Judge Caproni,

Pursuant to your Individual Practices in Civil Cases (1)(C), *Requests for Adjournments or Extensions of Time*, Plaintiff respectfully requests a brief continuance of the current deadline for fact discovery in this matter to complete outstanding discovery in this matter. As outlined in your Individual Practices, we submit the following:

Under the updated Scheduling Order, all fact discovery must be completed by June 3, 2022, with a Pre-trial conference on June 17, 2022 (R. Doc. 29). All expert discovery, including reports, production of underlying documents and depositions, is scheduled to be completed by June 15, 2022. When Plaintiff requested the last brief extension, it was contingent on Amtrak producing requested discovery documents necessary for the deposition of Ms. Francis Williams. This did not occur. Two days before the scheduled deposition, Amtrak's counsel e-mailed a proposed protective order and advised that once the protective order is signed, Amtrak could fully respond to discovery requests propounded on December 17, 2020. To date, the parties have participated in seven Rule 37 discovery conferences to cure these issues.

By way of update, the parties also participated in a settlement conference with Judge Aaron on June 3, 2022. The conference is adjourned at this time. The parties are required to update Judge Aaron on some issues within the week.

Plaintiff requests an extension of the discovery deadline for 60 days to complete the deposition of Ms. Francis Williams, and to receive the discovery documents requested over a year and a half ago. Amtrak's counsel is currently procuring additional dates for Ms. Williams deposition. Plaintiff is reviewing the proposed protective order so that the relevant documents can be produced.

Please let me know if there is any further information that you require. Thank you for your time and attention to this matter, and with kind regards, I remain

Very truly yours,


Carisa German-Oden

cc: Mina Miawad

Application DENIED without prejudice. Pursuant to Rule 2(C) of the Undersigned's Individual Practices, requests for adjournments must indicate whether each party consents to the request. The Court further reminds the parties that the Court is unlikely to grant extensions to discovery deadlines because of the existence of outstanding, disputed discovery requests that have not been brought to the Court's attention in a timely fashion. The parties must submit a joint status update on discovery and the rescheduling of the settlement conference by no later than **Friday, June 10, 2022**.

SO ORDERED.

A handwritten signature in blue ink, appearing to read "Valerie Caproni", is written over a horizontal line.

Date: 6/6/2022

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE